The Hon'ble Sri Justice P.S.Narayana

Writ Petition No.25492 of 2006

Date: 6th December, 2006

Between :-

G. Rajeshwar Rao .. Petitioner

And

The State of Andhra Pradesh, rep. By
Its Secretary, Municipal Authorities,
Secretariat Buildings, Hyderabad
And another ..
Respondents

The Hon'ble Sri Justice P.S.Narayana

Writ Petition No.25492 of 2006

ORDER:-

The matter is coming up for *admission.*

2. G.P. for Municipal Administration takes notice on behalf of R.1. Sri Durga Nageshwar Rao takes notice on behalf of R.2.

3. The Writ Petition is filed for a Writ of Mandamus declaring the action of the respondents in trying to demolish petitioner's compound wall and also a portion of the house bearing No.12-1-115, S.V.N.Road, Warangal, without issuing any notice or opportunity, without following the due process of law, as being illegal, arbitrary and unjust and consequently direct the respondents not to demolish the same without following the due process of law and pass such other suitable orders.

4. It is stated that the petitioner is the absolute owner and possessor of the house bearing door No.12-1-115, S.V.N.Road, Warangal. It is also stated that the staff of the 2nd respondent came to the house of the petitioner on 5-12-2006 at 10.00 a.m, and demanded that they should pull down the front portion of the house on their own or else the same will be demolished by the authorities. The main grievance of the petitioner is that without issuing any

notice or without following any procedure, there is threat of demolition.

5. It is needless to say that the respondents are bound to follow the due process of law before initiating demolition activity. In view of the same, the Writ Petition is disposed of directing the respondents not to resort to any demolition activity in relation to the subject matter of the Writ Petition unless and until due process of law is followed.

6. The Writ Petition is disposed of accordingly. No order as to costs.

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Justice P.S.Narayana

6th December, 2006

Note: Issue operative portion of the order by wire at party's costs.

(B/o.smr)